

Journal of Criminal Law and Criminology

Volume 48 | Issue 2

Article 1

1957

Issues and Problems in Metropolitan Area Police Services

Virgil W. Peterson

Follow this and additional works at: <https://scholarlycommons.law.northwestern.edu/jclc>



Part of the [Criminal Law Commons](#), [Criminology Commons](#), and the [Criminology and Criminal Justice Commons](#)

Recommended Citation

Virgil W. Peterson, Issues and Problems in Metropolitan Area Police Services, 48 J. Crim. L. Criminology & Police Sci. 127 (1957-1958)

This Article is brought to you for free and open access by Northwestern University School of Law Scholarly Commons. It has been accepted for inclusion in Journal of Criminal Law and Criminology by an authorized editor of Northwestern University School of Law Scholarly Commons.

The Journal of
CRIMINAL LAW, CRIMINOLOGY, AND POLICE SCIENCE

VOL. 48

JULY-AUGUST 1957

NO. 2

ISSUES AND PROBLEMS IN METROPOLITAN AREA POLICE SERVICES

VIRGIL W. PETERSON

As Operating Director of the Chicago Crime Commission since 1942, the author has his fingers probably closer upon the pulse of the underworld in Chicago than any other individual—public official or private citizen—in that city. Mr. Peterson is an Associate Editor of this Journal and member of the Chicago Bar. His last contribution to our pages was on "How to Form a Citizens' Crime Commission", (46, pp 485 ff.). The volume, "Barbarians in our Midst" by Mr. Peterson, stands out because of its literary quality and its enormous wealth of detailed information concerning crime and politics. This article was prepared at the instance of the "Northeastern Illinois Metropolitan Area Local Governmental Services Commission", which was created by the 1955 session of the Illinois State Legislature—EDITOR.

I—THE PROBLEM OF DUPLICATING AND OVERLAPPING POLICE AGENCIES

Local autonomy is one of the most deeply imbedded principles in our philosophy of government. Fear of a police state with possible abuse of civil liberties has made adherence to the principle of local autonomy virtually inviolate in the realm of law enforcement. Each local government, regardless of how small or how weak, insists upon its own police department and, as a result, the "most striking characteristics of American police patterns" are "decentralization and fragmentation." "No other part of the world has carried local autonomy in police management to such extreme lengths."¹

In America about "40,000 separate public law enforcement agencies on five levels of government, employing 200,000 men and women, and costing approximately \$1 billion per annum, are struggling with somewhat indifferent success" against an ever increasing crime problem.²

Within a fifty mile radius of Chicago there are 350 municipal, county and state police forces.³ Operating side by side and frequently with duplicating and overlapping efforts are two major police forces in the city of Chicago itself. The personnel of one of these forces, the Chicago Police Department, totals 9,372⁴ while the other, the Chicago Park District Police, has just slightly under 800 persons on its rolls. In addition to Chicago, there are 102 municipalities, most of which have some form of police department, situated within the boundaries of Cook County. While figures regarding total police strength in Cook County are not available, it is definitely

¹ BRUCE SMITH, *POLICE SYSTEMS IN THE UNITED STATES*, New York: Harper & Brothers Publishers, 1949, p. 316.

² DONAL E. J. MACNAMARA, *American Police Administration At Mid-Century*, PUBLIC ADMINISTRATION REVIEW, Summer 1950, Vol. X., No. 3, p. 181.

³ BRUCE SMITH, op. cit., p. 114.

⁴ THE MUNICIPAL YEAR BOOK 1956, Chicago: The International City Managers' Association, 1956, p. 408.

known that only fifty-nine of these 102 municipalities employ 747 police officers.⁵ Thus only 60 out of 103 municipalities in Cook County, Illinois employ police personnel totaling almost 11,000. In neighboring counties there are numerous municipalities employing hundreds of policemen. Added to these multitudinous local police forces are county highway police in substantial numbers, numerous state police officers assigned to each of the various areas and other types of specialized police as well. This situation prevails generally throughout the United States.

The presence of hundreds of autonomous local police agencies with personnel totaling several thousand within a relatively small geographical area naturally results in gross duplication of effort and equipment as well as frequent conflict of authority and confusion. It prevents intelligent administration and direction of available manpower engaged in law enforcement in the community. It militates against efficiency and is extremely expensive. As one authority has stated, "the cost of maintaining overlapping and conflicting agencies has carried America's bill for police protection to an all-time, all-continent high."⁶

II—SHERIFF AND CORONER LAW ENFORCEMENT FUNCTIONS OUTMODED

Adding to the confusion and inefficiency stemming from the multiplicity of police agencies within most metropolitan areas are the law enforcement functions performed by the offices of sheriff and coroner.

In Illinois the offices of sheriff and coroner are created by the State Constitution and their law enforcement powers could be eliminated only by constitutional amendments. Under the Illinois law the sheriff is the chief law enforcement officer of the county and in Cook County his police duties are handled by a highway police force numbering about 125 officers. In practice, the police duties of the Cook County Highway Police are usually confined to the unincorporated areas and to patrolling the highways. Occasional raids and other police functions are performed in some of the incorporated areas when local police departments request assistance or fail to perform their duties. Throughout its entire history the Cook County Highway Police force has conducted raids or performed police functions within the city limits of Chicago on only extremely rare occasions.

The office of sheriff originated in England and became a part of our institutions during Colonial times. In England the sheriff was an appointee of the Crown. As there developed in England well organized borough and county police the sheriff gradually lost his traditional law enforcement powers until all that remained were his "duties to attend the judges, to summon juries, and to enforce civil judgments."⁷ In Canada, the sheriff does not perform police functions. He has charge of the jails, accepts prisoners, produces them in court, and following conviction transfers them to prison.

⁵ Summary of Municipal Finance State of Illinois For Fiscal Year Ending in 1954, prepared by the Auditor of Public Accounts, May 16, 1955, as required by Illinois Municipal Auditing Law enacted in 1951 and amended in 1953. Of 103 municipalities in Cook County, only 62 reported to the Auditor. Of this number 59 reported police personnel ranging from 1 to 84. Chicago's figures were not included in the report.

⁶ BRUCE SMITH, *op. cit.*, p. 322.

⁷ BRUCE SMITH, *op. cit.*, p. 78.

In the United States the sheriff's office has long since ceased to be a major factor in law enforcement except perhaps in a few rural areas. It is an elective office enmeshed in partisan politics and men appointed to the sheriff's police force are chosen on the basis of political considerations. In some states, such as Illinois, a sheriff cannot succeed himself. Hence, at the beginning of each sheriff's four-year term of office there is a large, if not complete, turnover of county police personnel. Working under such conditions it is impossible for the county police force to achieve any high degree of efficiency or integrity. Its presence also adds to the pattern of duplication and confusion in local law enforcement. A single accident on the highway may result in the dispatch of squad cars to the scene by police agencies of the local municipality, the county and the state. Equipment and manpower of three separate and distinct law enforcement agencies are thus utilized when one department could handle the matter more efficiently.

Law enforcement failure is an inevitable product of a system which is based on conflicting, duplicating and competing police agencies. In many places the duties presently handled by the county police could be turned over exclusively to the state police without any loss of effectiveness and with but small, if any, added personnel requirements on the part of the state agency.⁸

Also inconsistent with a sound law enforcement organization is the role of the coroner in the field of crime detection and apprehension. In Illinois, upon the death of the sheriff, the coroner becomes the acting sheriff until a successor takes office. During the interim period the coroner can, and has, appointed the chief of the county highway police and conceivably could change the entire personnel of that law enforcement agency. Throughout his tenure in office the coroner's principal function is to determine the cause of death. And in this restricted field it has been stated that the coroner is "inherently and utterly unable to do his job well."⁹

Like most of our law enforcement institutions the coroner's office is of English origin dating back over seven-hundred years. The coroner was the direct representative of the King and it was his duty to make certain that the sheriff faithfully performed his obligation to the Crown. During that early period the property of convicted felons was confiscated. It was the coroner's responsibility to assure the successful prosecution of persons charged with a crime and thus protect the King from being cheated out of an important source of revenue. By the time that confiscation of convicted felons' property was outlawed the coroner's office had become firmly established as a part of the law enforcement machinery which was eventually transplanted from English to American soil. Gradually the functions of the coroner became limited largely to determining the cause of death.¹⁰ In the event of a death which does not obviously stem from natural causes, the coroner appoints a jury of

⁸ BRUCE SMITH, *op. cit.*, p. 89 "In the vast majority of American counties the sheriff system has already collapsed . . . the office has been declining in effectiveness and in popular esteem for centuries . . . In a day of highly developed police techniques, elected police administrators are an anachronism. This, combined with short terms and rotation in office, effectively closes all promising avenues for eventual improvement."

⁹ ERNEST W. PUTTKAMMER, *ADMINISTRATION OF CRIMINAL LAW*, Chicago: The University of Chicago Press, 1953, p. 111.

¹⁰ *Ibid.*, pp. 108-110.

lay persons and holds an inquest. The coroner's jury, after hearing testimony, renders a verdict as to the cause of death and a person believed responsible for a homicide may be bound over to the action of a grand jury. The verdict of the coroner's inquest is not binding on the prosecutor or the grand jury. Usually, the coroner's inquest uncovers but very little evidence that is not developed by the police agencies and sometimes its verdict hampers criminal prosecution.

The coroner system is certainly not in keeping with modern techniques of criminal investigation. As far back as 1877, Massachusetts abolished the coroner's office and its functions were taken over by medical examiners who are appointed by the governor for terms of seven years each. These men are required to be "learned in the science of medicine."¹¹ A number of other states, including New York, have adopted the medical examiner system, which has proven highly satisfactory.

The problems arising from innumerable duplicating and overlapping independent police agencies have long been recognized. Over a quarter of a century ago the National Commission on Law Observance and Enforcement reported that "The multitude of police forces in any state and the varying standards of organization and service have contributed immeasurably to the general low grade of police performance in this country."¹²

Long recognition of the problems, however, has not led to many serious efforts to solve them. While many plans have been suggested, our philosophy of local autonomy is so deeply rooted that any proposal to consolidate or unify local police forces is met with violent opposition. As a result, there is very little actual experience in the United States which can serve as a guide for the future.

III—THE ATLANTA PLAN OF IMPROVEMENT

In Atlanta, Georgia there were proposals for the consolidation of city and county governments as far back as 1912. A quarter of a century passed, however, before the first sustained effort to deal with the problem was made following a study in 1937 of city and county governments by Dr. Thomas H. Reed, consultant for the National Municipal League. Although a few of his recommendations were adopted there was no solution to the over-all problem. In 1939 another effort to consolidate the city and county governments failed because the leaders attempted to move too rapidly and also as a result of constitutional barriers. Again, in 1947 there was an unsuccessful drive to annex large unincorporated areas into the city of Atlanta. These various abortive movements had great educational value, however, and on February 18, 1949 the General Assembly of Georgia established the Local Government Commission of Fulton County and named as members six citizens from Fulton County and six from the adjoining county of DeKalb since a portion of Atlanta lies in each county. About a year later the commission, headed by Dr. Allen D. Albert, Jr., submitted its report.¹³

¹¹ HARRY ELMER BARNES AND NECLEY K. TEETERS, *NEW HORIZONS IN CRIMINOLOGY*, New York: Prentice-Hall, Inc., 1943, p. 268.

¹² NATIONAL COMMISSION ON LAW OBSERVANCE AND ENFORCEMENT, *Report on Police*, No. 14, June 26, 1931, Washington, D. C., United States Government Printing Office, 1931, P. 124.

¹³ *Plan of Improvement For the Governments of Atlanta and Fulton County, Georgia, Report and Recommendations of the Local Government Commission of Fulton County, Atlanta, Georgia, January 1950.*

In Fulton County, with an area of 548 square miles, were nine municipalities, in addition to Atlanta, ranging in population from 13,000 to 22,000. The commission was determined to minimize or wipe out duplication of government services, to provide uniform high-grade municipal services to all persons living in the suburban area, to equalize the tax burden as far as possible, and to give the city of Atlanta a chance for natural growth and expansion. The plan adopted was designed to place the sole responsibility for providing municipal services on the city of Atlanta, to limit the county government to its traditional functions and to bring into the city the contiguous, unincorporated area requiring, and for the most part receiving municipal services.¹⁴ The adoption of the plan entailed some constitutional amendments and the enactment of enabling legislation. When it became effective on January 1, 1952 the city's area of 36 square miles was trebled and its population of 331,314 increased by about 100,000.

Police protection was one of the major services that had been provided by the governments of both Atlanta and Fulton County which was directed to be consolidated and placed under the responsibility of the city government only. Whether an unincorporated area in the county requires the city police service is left to the decision of the county government. Likewise it is the responsibility of each municipality in the county to decide whether the city service is required. The county government or the municipality desiring the city service must pay the city for its actual cost.

Insofar as law enforcement is concerned, the Atlanta plan did not accomplish a complete integration of police agencies within the Atlanta metropolitan area. It did however, effect a consolidation of the city and the Fulton County police forces. The facilities and equipment of the Fulton County police force which was abolished were turned over to the city department. The Atlanta Police Department also absorbed the personnel of the disbanded Fulton County Police totaling 159 which increased the total personnel of the city police force from 573 to 732. The County officers were received in the city department with the same rank they held at the time the plan was adopted. The captain who headed the detective bureau of the county police together with the twelve men under his command became a part of the city detective bureau. The former county detective bureau head became second in command of the city detective bureau.¹⁵ The chief of the disbanded Fulton County Police was given the title of Director of Public Safety for Fulton County and retained on the payroll at his former salary. He had no personnel under his direction and the position was a rather meaningless one. Within a short time he resigned and entered private business.

Allen D. Albert, Jr., Chairman of the Local Government Commission of Fulton County stated: "We realized almost immediately that for success with the voters as well as an harmonious coordination of the various functions, we would have to remove the fear on behalf of the large body of civil employees . . . We let it be known that every employee of any department would be assured of continuance of job,

¹⁴ J. FORSYTHE GORDY, Director, Governmental Research Bureau, Atlanta Chamber of Commerce, *GOVERNMENTAL NEWS*, June and October issues, 1951.

¹⁵ KEELER MCCARTNEY, *THE ATLANTA CONSTITUTION*, January 1, 1952.

seniority and pension rights . . . We gave almost everyone a complete hearing . . . we were unwilling to imperil the whole plan by objecting to a solution of personal problems." Due to deaths and resignations, this policy did not result in any added costs. In the police department, for example, there was a shortage of fifty men almost immediately upon consolidation.

The consolidation of the Atlanta City and Fulton County police departments was only one result of the adoption of the Atlanta plan. Following the enactment of forty-one bills by the General Assembly the county was able to discontinue twelve municipal services previously handled; the city, in order to take over these services, annexed 82 square miles of unincorporated area; both city and county governments operated in a more efficient manner; and taxes on residential property in the annexed area were lower than before the plan although there was an increase in taxes on business property generally.¹⁶

IV—METROPOLITAN TORONTO POLICE FORCE

In recent months steps have been taken for the unification of police departments in the metropolitan area of Toronto, Ontario, Canada. Although the unified police force did not become effective until January 1, 1957, and it is too early to accurately appraise its effectiveness, some useful purpose may be served in examining some of the considerations which led to its adoption.

Actually, the unification of the police is merely an extension of services performed by the Municipality of Metropolitan Toronto which was incorporated April 15, 1953 pursuant to an act of the legislature passed that year. This act provided for a federation of the thirteen municipalities in the metropolitan area of which the city of Toronto is the largest. Each area municipality retained its autonomy in local matters and was given representation on the governing body called the Metropolitan Council which is responsible for the provisions of designated services. Of the twenty-five members of the council, twelve are from the suburbs and thirteen, including the chairman, from the city of Toronto.

From the beginning it was the responsibility of the Metropolitan Council to provide a number of major services to the metropolitan area. These included water supply, sewage disposal, public transportation, education, health and welfare, and numerous others. It is perhaps significant that among the original services policing was not included. However, on September 14, 1954 the Council appointed a Special Committee to study and report on the advisability of unifying the police departments and the fire departments in the Metropolitan Area. This committee confined its deliberations to a study of the area police problem and postponed its consideration of fire services until a later date. "The thirteen municipalities within the Metropolitan Area were all invited to appear before the Special Committee and submit their views as to the advantages and disadvantages to be obtained by a unification of police services. As a result of this invitation all appeared before the Committee and nine

¹⁶ W. ROY ULRICH, General Manager, Atlanta Chamber of Commerce, Address entitled *Annexation and Fringe Area Problems* before 40th Annual Meeting of American Chamber of Commerce Executives Association, San Francisco, Cal. September 26-29, 1954.

of the thirteen opposed unification. However of the nine municipalities which expressed opposition to unification, five agreed that some changes would be desirable."¹⁷

Five of the nine municipalities opposing unification expressed the opinion that the police services in the Toronto Metropolitan area would be improved with the establishment of a central identification and photographic bureau; a central control of licensing and permits; a centralized serving of summonses and warrants; a centralized traffic control; and the provision of officers for the various courts.¹⁸

Among the numerous objections raised by the nine municipalities opposing unification the following appear to be the more important:

"Police administration would be removed from the close contact with the residents of the local municipality."

"The local police force has a much better appreciation of local problems, and the means whereby they may be solved."

"The present arrangements are satisfactory and adequate."

"Police protection in the suburban municipalities is not less efficient than in the City of Toronto."

"The concentration of all calls through one communication centre would result in the 'jamming' of such centre with consequent delays."

"The formation of a Metropolitan Toronto Police Force was not recommended by the Ontario Municipal Board in the recent amalgamation proceedings and this decision should not now be interfered with in any summary or less exhaustive review."

"All area municipalities do not have the same police problems and therefore local police forces can best deal with local situations and enjoy the pride of local residents."

"Transfers of personnel to distant divisions would result in hardship for such personnel due to excessive travelling."

"It would be too difficult to unify police services of the entire area in one operation and if the proposal is considered at all it should be done by degrees."¹⁹

The four municipalities favoring the formation of a unified police force for the Metropolitan Toronto Area expressed the opinion that the following improvements would result from such a plan:

"Duplication of police services would be eliminated."

"A central communications department would remove costly delays which now exist in emergent and critical situations where speed is an important factor in apprehending an offender."

"A properly equipped crime laboratory could be established which would provide expert witnesses for court actions."

"A proper system of centralized records of offenders would be available to the entire area and eliminate delays involved in searches of several police files."

"Uniform control of traffic would result from direction received from a central traffic bureau."

"Specialized bureaus could be established which would operate over the entire Metropolitan Area and release personnel for the very important and too often neglected duties of foot patrol."

"The entire Metropolitan Area would have the benefit of a central

(a) morality branch

(b) traffic branch

(c) criminal investigation branch

¹⁷ REPORT NO. 1 OF THE SPECIAL COMMITTEE RE UNIFICATION OF THE POLICE AND FIRE DEPARTMENTS IN THE METROPOLITAN AREA. For Consideration by The Council of The Municipality of Metropolitan Toronto on November 1, 1955., Toronto, Canada, September 29, 1955, p. 2

¹⁸ Ibid., p. 4.

¹⁹ Ibid., p. 2-4.

(d) criminal identification branch

(e) training school

(f) transportation of prisoners."

"Substantial savings to the taxpayer through central control of purchasing would result."

"Policing the Metropolitan Area would be more efficient and the costs of such policing would be equalized over the various municipalities."

"A unified police force would provide better control over those criminals who operate as receivers and disposers of stolen goods by making it possible to provide adequate surveillance of such persons."

"The number of unsolved crimes in the Metropolitan Area indicates that a change in police organization is necessary."

"Differences that presently exist in wage schedules for police officers doing similar work in different municipalities would be eliminated."

"Local councils should no longer attempt to direct and administer the activities of a local police force."

"Adequate finances would be available to properly equip a unified force."

"There would be one Police Commissioner which would administer the entire Metropolitan Area in an impartial manner resulting in a uniform enforcement of police regulations and the Criminal Code, free from the possibility of local political interference."

"Unification and modernization of police departments by the formation of a Metropolitan Police Force would result in greater benefits to the citizens of every municipality."²⁰

In addition to the testimony given by representatives of the thirteen municipalities, the Special Committee also received a brief from the Bureau of Municipal Research which recommended unification of the police departments.

Although nine of the thirteen municipalities were opposed to unification, the Special Committee was more favorably impressed with the testimony presented in favor of unification by the other four municipalities. The Special Committee therefore officially recommended: "(1) that as of January 1, 1957, all of the present police forces in the 13 municipalities comprising the Metropolitan Area be dissolved; (2) that a Metropolitan Toronto Police Force be established, having jurisdiction over the entire Metropolitan Area, to succeed the foregoing 13 police forces effective January 1, 1957, the personnel then employed by such 13 municipal police forces to form the original personnel of the proposed Metropolitan Toronto Police Force; (3) that the Municipal Toronto Police Force, when established, be administered under the jurisdiction of a Metropolitan Toronto Board of Police Commissioners . . ."²¹ The Legislature of the Province of Ontario acted favorably on the Special Committee's recommendations and the necessary enabling legislation was promptly passed.²²

The new police force which began functioning January 1, 1957 is administered by the Metropolitan Board of Commissioners of Police composed of two magistrates appointed by the Provincial Government, a County Judge appointed by the Provincial Government, the chairman of the Metropolitan Council and the elected Mayor of the City of Toronto who is an ex-officio member of the board. Thus the Provincial Government (the Lieutenant-Governor-in-Council) holds the appointive power over a majority of the board's membership. The Chairman of the Metro-

²⁰ Ibid., pp. 4-5.

²¹ Ibid., p. 7.

²² No. 108 2nd Session, 25th Legislature, Ontario, 4-5 Elizabeth II, 1956, Bill An Act to Amend, the Municipality of Metropolitan Toronto Act, 1953, Part X A.

politan Board of Police Commissioners is Magistrate C. O. Bick, who also served as chairman of the Special Committee. Directing the operations of the new Metropolitan Toronto Police Force as Chief Constable is J. Chisholm, previously the Chief Constable of the Toronto City Police Department.

The thirteen municipalities within the jurisdiction of the Metropolitan Toronto Police Force have a combined population of 1,304,350 and embrace an area of 239.7 square miles. The municipalities vary in size from Swansea with a population of 8,500 and an area of one square mile to the City of Toronto with a population of 681,850 and an area of 34.9 square miles. For administrative purposes the Metropolitan Toronto Area is divided into nine police districts. Hence in some instances more than one municipality lies within a single police district.

Under the terms of the Provincial legislation creating the Metropolitan Toronto Police Force, the police department in each of the thirteen municipalities was dissolved as of January 1, 1957 and its physical facilities and equipment became the property of the new metropolitan department. All members of the police departments of the thirteen municipalities who were in good standing on March 1, 1956 automatically became officers of the metropolitan force. The salaries of the various officers cannot be lowered. The personnel of the Metropolitan Toronto Police Force totaling 2318 officers was comprised of 1568 from the Toronto City Police Department and 750 from the other twelve municipal forces including twelve chiefs of police, each of whom holds the rank of inspector. It was planned to assign the personnel, including inspectors who serve as commanding officers of police districts, to the same municipality to which they were attached before the unification. Some adjustment was necessary with respect to the inspectors, however, since the thirteen municipalities are located in nine police districts and only nine commanding officers of districts are required.

The effectiveness of the Metropolitan Toronto Police Force and the soundness of its organizational setup can be appraised accurately only after it has been in operation for some time. In establishing the metropolitan police department, the principal considerations were not greater efficiency and lower operating costs. Instead, it was formed primarily to provide police services and protection to all citizens of the Metropolitan Toronto area that the municipalities individually were not able to furnish.

V—THE ENGLISH POLICE SYSTEM

Any study of police organization would be incomplete without an examination of the English system which has won respect throughout the world. Sometimes overlooked, however, is the long and bitter struggle which eventually led to the establishment of the highly efficient police system prevailing in England today.

In the twelfth century law enforcement was in the hands of country gentlemen. However, their duties as law enforcement officers did not receive statutory recognition until the fourteenth century. Known as justices of the peace and later as magistrates their working assistants were parish constables whose history dates back to Norman times. In effect, each parish or ward had its own police system without any coordinating authority. Corruption was prevalent and in the towns the

system broke down completely. As a result, there developed private thief-takers who received, under an Act of Parliament of 1693, a reward of forty pounds for the apprehension and conviction of any highwayman. The professional thief-takers were recruited largely from the criminal classes. Naturally, there were many abuses and their usefulness in coping with a growing crime problem was meagre, indeed.

In 1748, the Minister in Charge of Home Affairs offered Henry Fielding, the father of the English Novel, the office of the commission of the peace for Westminster in Bow Street. Fielding, as the Bow Street magistrate, decided to do something about an alarming crime situation. He secretly appointed six former constables to work for him regularly in the performance of law enforcement duties. Subsequently known as Bow Street Runners, their compensation was limited to the rewards they would receive as thief-takers. They constituted an embryonic police force and the success of Fielding's idea led the government to adopt it. Henry Fielding has thus been called the founder of the English Police. He was assisted by his blind half-brother, John Fielding, who succeeded him as the Bow Street Magistrate.²³

Although crime conditions were alarming, progress in the development of anything resembling an adequate police organization was negligible. In 1785 William Pitt the Younger introduced a police bill but it had to be abandoned because of the bitter opposition it aroused in the City.²⁴ In 1822 Sir Robert Peel became Home Secretary and he promptly appointed another committee to study and report on the state of the police. Notwithstanding the fact that widespread crime was menacing the safety of the people, the committee bluntly reported that an effective police system could not be reconciled with the traditional person liberties of the English people.²⁵ Although pretending to abandon the idea, Peel worked quietly in the background and in 1828 he appointed another committee to conduct an inquiry into police affairs. "On the basis of this report, Peel introduced, on 15 April 1829, a 'Bill for Improving the Police in and near the Metropolis', which provided for the creation of a body of paid constables who were to be enrolled under two Justices, or Commissioners, with headquarters at a Police Office in Westminster."²⁶ Although the Bill was passed with the support of both the Tory and Whig parties "it was opposed and hated by all classes of the general public. There is not the slightest doubt that it was imposed on London against the will of the vast majority of the people."²⁷ It was claimed that the police system would destroy the Constitution and the public clamored against it. In the General Election of 1830, the Whigs promised that if they were returned to power they would abolish the Metropolitan Police. Within a few years, however, there was public acceptance of the Metropolitan Police and similar forces were formed throughout England. "Within a few . . . decades the

²³ PATRICK PRINGLE, *HUE AND CRY, THE STORY OF HENRY AND JOHN FIELDING AND THEIR BOW STREET RUNNERS*, New York: William Morrow and Company, 1955, pp. 35, 41, 42, 48, 78.

²⁴ *Ibid.*, pp. 12, 202.

²⁵ CHARLES REITH, *A SHORT HISTORY OF THE BRITISH POLICE*, London: Oxford University Press, 1948, p. 24.

²⁶ *Ibid.*, p. 25.

²⁷ PATRICK PRINGLE, *op. cit.*, p. 206.

British police had become a bulwark of the very Constitution its opponents had said it would overthrow."²⁸

The regular police forces of England include the Metropolitan Police of London, the City of London Police, the Borough Police Forces and the County Police Forces. Throughout England the principle of local autonomy has been preserved. Yet, through the leadership of the Home Office it has obtained coherence and unity in its law enforcement system. Under "the Police Act of 1946 most of the smaller forces were consolidated with neighboring police establishments. Only 133 forces are retained in the service of almost 500 cities, boroughs, and counties." In England there is not "the slightest duplication of police authority. The police establishments of city, borough, and county governments do not overlap in any way."²⁹

Best known of the English forces is the Metropolitan Police of London with headquarters at Scotland Yard. The Home Secretary is directly responsible to Parliament for the management of this force and the Commissioner who heads the department is subject to his authority. In fact, the Metropolitan Police of London is the only force in England over which the Home Secretary by law has been given complete control. In 1947, its personnel of 20,000 represented approximately one-third of the total police strength of England and Wales. The Metropolitan Police covers an area slightly larger than Greater London, which is divided into four districts each of which is headed by a Commander and Deputy Commander. These four districts embrace twenty-three divisions each of which is in charge of a Superintendent. Among the principal members of the Commissioner's staff are a Deputy Commissioner, four Assistant Commissioners, a Secretary, and a Solicitor as well as the four Commanders and four Deputy Commanders who have charge of the district.³⁰

The City of London Police Force with personnel numbering 1,100 men has jurisdiction over about one square mile, an area embracing the government of the Lord Mayor of London. Historically, the existence of this force is traceable to the bitter opposition of the city merchants to the formation of a police department of any kind. When Sir Robert Peel proposed the Metropolitan Police in 1829, he included the City of London in his plan. Then as a political maneuver, he agreed to exclude the City from his Plan providing the Whig Party would support his bill. The City merchants soon established a police force of their own and it still functions in cooperation with the Metropolitan Police. The Commissioner of the force is elected by the Common Council of the City but after his selection the Council has no authority over him. Although the Home Secretary exercises some supervision over him the Commissioner has more independence than any other police executive in matters of administration and discipline.³¹

The Borough Police Forces have jurisdiction over most of the large towns in England. These large towns are known as boroughs, county boroughs or cities. In some instances a small town may have been given a charter as a borough many years

²⁸ *Ibid.*, p. 207.

²⁹ BRUCE SMITH, *op. cit.*, p. 321.

³⁰ CHARLES REITH, *op. cit.*, pp. 96, 99, 100.

³¹ *Ibid.*, pp. 100, 101.

ago and still carries that designation. In more recent times a town usually claims the right to become a borough when its population reaches 20,000. Regardless of the size of the borough it is entitled to establish and maintain its own police force. However, some of the large modern boroughs have turned over their policing function to the County Force and do not maintain police departments of their own. Usually when a town has a population of at least 75,000 it becomes a County Borough. Its force is also known as a Borough Police Force.

The statutory authority over the police in every Borough, County Borough or City is the Watch Committee of the local council. The Watch Committee appoints the Chief Constable who heads the local police department; it controls appointments, promotions and dismissals; and it must affirm any punishment except a caution imposed by the Chief Constable. A member of a Borough Police Force who so desires has a right to appear before the Watch Committee. If the decision of the Watch Committee is adverse to him he may appeal to the Home Secretary. Popular control over the police is maintained through the statutory authority of the Watch Committee. Members of the Watch Committee usually possess no experience in police matters. However, in practice they automatically sanction most of the decisions of the Chief Constable. And if the Watch Committee should attempt to interfere with the Chief Constable in the administration of his department he has the right to appeal to the Home office. In general, there are good relations between the Chief Constable and the Watch Committee.³²

The County Police Force has jurisdiction over the rural districts and in towns which have turned over their police functions to the County Force. "With the exception of London and Middlesex, each of which is wholly included in the Metropolitan Police District, a separate force has been organized in every administrative county . . . Many towns and boroughs with populations exceeding 20,000 have voluntarily given over their police functions to the counties in which they are located."³³ Until 1888 the sole authority over the County Forces was vested in the local magistrates. In 1888 this authority passed to the Standing Joint Committees of the counties which consist of magistrates and County Councillors in equal numbers. Heading the County Police Force is a Chief Constable who is appointed by the Standing Joint Committee. After appointment, however, he is virtually independent of the Committee. "His disciplinary decisions are absolute, and are subject only to a punished man's right of appeal to the Home Secretary. The County Chief Constable appoints, promotes, punishes and dismisses men of his force without need of any sanction by the Standing Joint Committee."³⁴

The various police forces of England have been given unity through the influence of the Home Secretary. Yet, the local governments have never relinquished control over their police forces. The Home Secretary is without power to issue orders to the County or Borough Police Forces. It is only over the Metropolitan Police of London that his control is direct.³⁵

³² *Ibid.*, Pp. 101-104.

³³ RAYMOND B. FOSDICK, *EUROPEAN POLICE SYSTEMS*, New York: The Century Company, 1915, Pp. 61, 62.

³⁴ CHARLES REITH, *op. cit.*, 104, 105.

³⁵ *Ibid.*, P. 96.

The key to the Home Secretary's influence lies in the system of grants-in-aid adopted by the central government. Under the County and Borough Police Act of 1856 the Central government undertook to pay one-fourth of the cost of maintenance of the County and Borough Police Forces. The payment of the grant to each department, however, was made contingent upon a certification by the Home Secretary that the force had been maintained in a state of efficiency. Subsequent legislation enacted in 1874 and 1888 made certain changes in the grants-in-aid system. The Police Act of 1919 increased the subvention to one-half the total net approved expenditure of each force that maintained a proper state of efficiency. Thus beginning with the County and Borough Police Act of 1856 there developed a system of inspection of all Borough and County Forces by the Home Office. For inspection purposes, England together with Wales is divided into four districts. One inspector is assigned to each district and is responsible for inspecting each force in his district once every year. He may also visit a Chief Constable of a Borough or County Force to confer with him regarding special matters that may arise from time to time.

Beginning in January 1946 the Home Office assumed the responsibility for training all police recruits and centrally controlled training schools were established. By 1951 eight training centres were in operation. In June 1948 there was opened a police college at Ryton-on-Dunsmore for officers of intermediate rank who had been recommended for provisional promotion. The Home Office has also established a crime laboratory in each of seven districts, thus enabling each force in England to have ready access to laboratory facilities.

High standards of efficiency and competence are maintained in the English police forces through the role played by the Home Office and its inspection system. The position of Inspector of Constabulary has almost always attracted men of high ability. Many have had extensive experience in police administration, having served as chief constables of borough or county police forces while others were formerly high ranking officers in the British Army. The Home Office very seldom withholds a subvention to a police force. But its power to do so assures compliance with its suggestions and advice. Without the grants-in-aid system the supervision of the Home Office would never have succeeded in raising the British police forces to their present high state of competence.³⁶

English substantive law and institutions have served as patterns for the American system of justice. Nevertheless, there has been a great reluctance in the United States to adopt some of the basic principles followed by the English in the administration of their law enforcement agencies. While preserving local control over their police forces, the English hold such agencies accountable to the state for the maintenance of proper standards. And this accountability to the state is made effective through supervision and inspection together with the threat of withholding subventions from local forces failing to meet prescribed standards. These cardinal administrative principles of the English system are virtually non-existent in America.

³⁶ JOHN S. HARRIS, *Central Inspection of Local Police Services in Britain*, *THE JOUR. OF CRIM. L., CRIMINOL. AND POL. SCI.*, Vol. 45 No. 1, May-June 1954, Pp. 85-89. O. W. WILSON, *The British Police*, *THE JOUR. OF CRIM. L. CRIMINOL. AND POL. SCI.*, Vol. No. 40, No. 5, January-February, 1950, Pp. 637-650.

VI—PROPOSALS TO MERGE POLICE FORCES WITHIN A COUNTY

In the United States many plans formulated to improve efficiency through the elimination of duplicating and conflicting police agencies propose some type of merger of police forces within a county. This was true of the Atlanta, Georgia plan which became effective January 1, 1952. From a law enforcement standpoint, its principal result was the consolidation of the city of Atlanta and the Fulton County police forces. And the merger of these forces was accomplished largely through the annexation by the city of Atlanta of contiguous unincorporated areas. Various police forces of municipalities within Fulton County remained intact and the adoption of the Atlanta plan did not bring about a unified police system for the entire county.

From time to time in Chicago, Illinois there have been proposals for the creation of a single police agency to service the entire county. Over two decades ago such a plan grew out of a detailed study of local government made by the Illinois Commission on Taxation and Expenditures. This commission recommended the creation of a Metropolitan Police District embracing Cook County, Illinois in its entirety. All law enforcement responsibilities in this district were to be taken over by the Metropolitan Police Department, the Cook County Highway Police force was to be discontinued, the various town constables were to be relieved of any police functions which might conflict with those of the Metropolitan Police, and duties that had been performed in the area by the Illinois State Highway Patrol and other police agencies were to be delegated to the Metropolitan Police Department with adequate compensation for such services.

Under the proposal of the Illinois Commission on Taxation and Expenditures, the police district was to be headed by a director. His appointment was to be vested in the governing board of the police district. It was suggested that the Board of Cook County Commissioners serve as ex-officio commissioners of the Metropolitan Police District, or in the alternative, a separate governing body be created the members of which were to be elected. The Director of Police was to be selected on the basis of outstanding qualifications. Candidates for this position were to be approved by a nominating committee composed of three citizens such as the President of the Board of Cook County Commissioners, the County Judge and the Governor of the state. The Director of Police was to serve during good behavior and his removal could be effected only by a vote of three-fourths of the governing body.

Recognizing that the proper administration of a police department demands the application of every sound principle of organization and management, the Illinois Commission on Taxation and Expenditures placed particular emphasis on personnel. It recommended that recruitment be placed in the hands of a personnel authority of such independent status as to preclude the possibility of political interference. Personnel qualifications were to include integrity, initiative, resourcefulness, sound judgment and physical fitness. Practical intelligence and physical tests were to be given applicants and thorough character investigations were to be made in order to assure the selection of highly qualified personnel. The act establishing the Metro-

politan Police Administration was to provide its governing body and director with adequate powers.³⁷

A quarter of a century has elapsed since the Illinois Commission on Taxation and Expenditures recommended the establishment of a Metropolitan Police Department to serve Cook County. The idea never received wide popular acceptance and no serious effort was made to put it into effect. The problems stemming from a multiplicity of police agencies working independently of one another and without any coordination of effort have steadily increased.³⁸ And recently, a proposal has again been made for a merger of all Chicago and Cook County police forces into a single Chicago Metropolitan Police Department. The sponsor of this plan, Cook County Sheriff Joseph D. Lohman, suggests that control over the unified police force be vested in a Metropolitan Police Board composed of nine members to be elected by the people of Cook County. The allocation of board members as between Chicago and suburbs would be based on population.

Under Sheriff Lohman's proposal, Cook County, including the city of Chicago, would be divided into fifteen police districts for administrative purposes. A district superintendent would head each district. The fifteen police districts would be created on the basis of (1) population, (2) land area, (3) arteries of traffic and communication, (4) variation in area composition such as industry, commerce and residence, and (5) incidence and distribution of crime. Upon the creation of a Chicago Metropolitan Police District through legislative action, it is suggested that the police functions of the sheriff's office be eliminated.

Among the advantages of a metropolitan police force, according to Sheriff Lohman are: (1) increased police efficiency through the establishment of uniform standards and facilities for recruitment, training and assignment; (2) uniform police practices and the provision of specialized services which smaller departments cannot afford; (3) freedom of the police from local political influence, both in Chicago and the suburban communities; (4) economy through a more efficient utilization of the present manpower pool and the reduction of overhead expenses; and (5) a unified county-wide system of communications and records.³⁹

VII—THE MODEL POLICE COUNCIL ACT

A number of proposals for the improvement of American police services have attempted to make adaptations from the English System, including the cardinal administrative principle of accountability to the State through inspection. This

³⁷ THE ILLINOIS COMMISSION ON TAXATION AND EXPENDITURES, PROPOSALS FOR THE REORGANIZATION OF LOCAL GOVERNMENT IN ILLINOIS, Part II, Chapter IV. "The Organization For Police Protection in the Chicago-Cook County Metropolitan Area", November 30, 1932—(The study and report for the Illinois Commission on Taxation and Expenditures was made by the well known firm of Griffenhagen & Associates, 30 E. Cedar Street, Chicago, Illinois).

³⁸ See article entitled *Disorganization of Metropolitan Law Enforcement and Some Proposed Solutions*—The Illinois Cook County Situations, THE JOUR. CRIM. L., CRIMINOL. AND POL. SCI., Vol. 43, No. 1, May-June 1952, pp. 63-78.

³⁹ THE CITY CLUB BULLETIN, City Club of Chicago, Chicago, Illinois Vol. 48, No. 31, October 31, 1955, Pp. 1, 2.

was true of the Model Police Council Act developed in recent years by the American Bar Association Commission on Organized Crime.

Hearings held in 1950 and 1951 by the U. S. Senate Special Committee to Investigate Organized Crime produced overwhelming evidence of the general ineffectiveness of local police in coping with organized crime. As an outgrowth of these hearings the American Bar Association Commission on Organized Crime engaged a well known police authority, Earle W. Garrett, to review the large number of police surveys that have been made throughout the United States since World War I. It was found that "the principle of local autonomy in government has encouraged the sprawling decentralization of thousands of unimpressive law enforcement agencies. The organization of police departments on the basis of some larger and more effective geographic unit such as the county 'has been little favored.' The political subdivisions of the counties, the cities, towns and villages cling to the police service they know they can control, even though such service is far less efficient than one that would result from a coordination of police departments." Based on this study it was recommended that "State . . . take a much larger role in providing adequate police service than it has done heretofore." In order to fulfill this objective it was suggested "that the State set standards for efficiency in police work, make periodic inspections of police departments and provide subventions to those departments which meet the State standards."⁴⁰

At the direction of the American Bar Association the Commission on Organized Crime prepared a Model Police Council Act which is designed to provide "a greater measure of State supervision over the operation and functions of local police departments and the recruiting and training of policemen." Under the provisions of the act there would be created in the executive department of the State a Police Council composed of seven members appointed by the governor for staggered four-year terms. The act recommended that the Council members serve without compensation. The daily functions of the Council, however, would be performed by a paid professional and technical staff headed by a director. The Council's decisions would naturally be based largely on the findings of the staff.⁴¹

Section four of the proposed Act enumerates the powers and duties of the Council. These duties, among others, are:

"To make annual surveys and inspections of the personnel, equipment, records, methods of operation and general administration of police departments."

"To make reports based on its surveys and inspections, together with recommendations for the improvement of police departments and police procedures, to the chief executive officers of each police department studied, and the chief executive authority of the governmental unit which it serves."

"To promulgate and publish, after discussion and conference with police officials throughout the State, the minimum standards that must be maintained in order to secure effective administration and operation of police departments."

"To survey and inspect annually police training schools; to make reports and recommendations

⁴⁰ REPORT OF THE AMERICAN BAR ASSOCIATION COMMISSION ON ORGANIZED CRIME TO THE AMERICAN BAR ASSOCIATION, Sept. 1, 1951, New York: The Grosby Press, Pp. 25, 26.

⁴¹ FINAL REPORT OF THE AMERICAN BAR ASSOCIATION COMMISSION ON ORGANIZED CRIME TO THE AMERICAN BAR ASSOCIATION, September 2, 1952, New York: The Grosby Press, Pp. 135-143.

for the improvement of such schools; to promulgate and publish minimum standards and to prescribe courses of study for such schools; and to certify and accredit schools which meet minimum standards."

"To make recommendations concerning means of effecting consolidation of police departments and police services and to encourage arrangements whereby a governmental unit may be served in whole or in part by a police department from another governmental unit or by the State. Approval is . . . given for contractual arrangements, approved by the Council, entered into by governmental units to further the purposes of this subsection."⁴²

The American Bar Association Commission recognized that "the Director is the key figure. The Council should attempt to obtain as its director a leading police expert or an outstanding figure in public administration. It is to be expected that the salary provided for the Director will be sufficient to attract a first rate man."⁴³

The Commission discovered a sharp division of opinion among experts as to the desirability of state subventions to police departments, beyond that required for police training. O. W. Wilson, Dean of the University of California School of Criminology has insisted, perhaps realistically, that the failure to provide subventions beyond police training assistance would deny the Council the power needed to accomplish its objectives. He has recommended State grants-in-aid to local authorities equal to twenty per cent of the police budget conditioned on the maintenance of suitable standards of performance. Some experts are of the opinion that police standards of efficiency are so vague and indefinite that they could not serve as a proper guide to subventions. As a result of these sharp differences of opinion the Model Police Council Act did not include subventions for general police purposes as a mandatory provision.⁴⁴

The Model Police Council Act also provides that "The Council shall make an annual report to the governor and to the general session of the Legislature concerning the administration of police departments in the state, together with recommendations for executive or legislative action necessary for the improvement of law enforcement and the administration of justice. The report shall be published and distributed without charge to police departments throughout the State."⁴⁵ It was believed that a succession of such annual reports would point up progress as well as failures in efforts to improve police departments and would recommend changes necessary to obtain better police service.

VIII—A PROPOSAL FOR METROPOLITAN AREA POLICE SERVICE

Any proposed plan for a sound police organization should take into careful consideration the experience in this country as well as in England and Canada. From an examination of this experience it is possible to formulate certain basic principles. Increased law enforcement efficiency and a reduction of the crime problem have been achieved by: (1) the elimination of overlapping, duplicating and conflicting police agencies through merger or consolidation, (2) vesting primary control over police forces in the local governments, (3) holding local police departments account-

⁴² *Ibid.*, Pp. 143, 144.

⁴³ *Ibid.*, P. 148.

⁴⁴ *Ibid.*, Pp. 152-154.

⁴⁵ *Ibid.*, P. 155.

able to the State for the maintenance of proper standards, and (4) integration and coordination of the efforts of police and prosecuting agencies.

Over twenty-five years ago the Wickersham Commission observed that "The independence which police forces display toward each other and the absence of any central force which requires either a uniform or a minimum standard of service leave the way open for the profitable operation of criminals in an area where protection is often ineffectual at the best, generally only partial, and too frequently wholly absent."⁴⁶ The Commission recognized the State as the sovereign power charged with the duty of protecting the life, liberty and property of its citizens. And the report concluded that since the State has the responsibility of prosecuting the violators of its laws "it cannot logically be denied control of the primary forces which engage in the apprehension of these offenders."⁴⁷

The various local police agencies were created by the State. They are engaged primarily in the enforcement of State laws. Yet, under present conditions the State has no effective machinery to hold local police agencies accountable for the proper performance of their duties. This is contrary to every known principle of sound administration. And the establishment of a metropolitan area police department would not alter this administrative principle. On the contrary, the creation of a metropolitan police force would increase the need for State supervision to insure the maintenance of proper standards.

In the merger or consolidation of police forces it is inevitable that the largest municipality will be the dominant influence in the metropolitan area police department. And this presents problems both fancied and real. For example, in the Chicago area many suburbs would vigorously object to turning their law enforcement functions over to the Chicago Police Department. The spokesmen for these municipalities would insist that their local police departments maintain higher standards of performance than the Chicago force. And they would be unwilling to entrust law enforcement destinies to a department in which Chicago would be the dominant influence. Whether this feeling may or may not be justified in a particular case is relatively unimportant. This feeling definitely is present in many, if not most, suburban municipalities. And unless some machinery is set up at the State level which will insure the maintenance of high standards of law enforcement service in all municipalities the public opposition would be of such intensity as to preclude the adoption or successful operation of a metropolitan area police department.

State supervision vested in a seven-man Police Council appointed by the Governor for staggered terms of four years each, as provided by the Model Police Council Act, would assure the maintenance of proper standards. Inspections and surveys conducted by the professional and technical staff of the Council would uncover weaknesses in any phase of police organization or personnel. The Council's public reports would tend to assure early correction of such weaknesses and strengthen the law enforcement structure of every community. However, if the Council is to adequately perform its functions it must be given power to enforce its fundamental recommen-

⁴⁶ NATIONAL COMMISSION ON LAW OBSERVANCE AND ENFORCEMENT, *Report on Police*, No. 14, June 26, 1931, Washington, D. C.: United States Government Printing Office, 1931, P. 124.

⁴⁷ *Ibid.*, P. 123.

dations. This power may rest in a system of State grants-in-aid, which may be withheld, or through statutory authority vested in the Council to remove heads of departments which fail to meet Council standards.

From an administrative standpoint, the Police Council should properly be a part of a State Department of Justice which would also have supervision over the various prosecutor's offices. This would bring about an integration of police and prosecuting functions which is badly needed. Virtually all police action is intended to lead to detection and prosecution. Successful prosecution depends largely on the calibre of the police work performed. The need for effective coordination of police and prosecuting efforts is apparent. This coordination is frequently lacking and at times, because of the influence of partisan politics, there is actual hostility between the prosecutor and the police administration. It appears logical that the prosecutors and police should be ultimately answerable to a common administrative head which would give unity to all law enforcing and prosecuting efforts.⁴⁸ The American Bar Association Commission on Organized Crime recommended that each state form a department of justice "to which the local prosecuting attorney should be directly answerable. This department," said the commission, "should have the general supervision of law enforcement throughout the state."⁴⁹

In developing a plan to provide police services on a metropolitan area basis, careful consideration must be given to the exact territory the police district is to embrace. This decision cannot be made by the simple method of following traditional county lines. Through a study it should be determined just what territory may be considered realistically as a part of a metropolitan area that one police agency can efficiently service. This may include entire counties or only portions of some of them. If arbitrary county lines are followed, some territory may be included that cannot be effectively policed by a single agency. Such a procedure may also fail to eliminate obvious overlapping. For example, Elgin, Illinois is located in both Cook and Kane Counties. Hence, any metropolitan area police department which embraced Cook County but not Kane County would leave Elgin with two police departments and would defeat one of the major purposes of a metropolitan area police agency.

Once there has been a determination as to proper boundary lines, action can then be taken to create a metropolitan police district through legislative enactment. This act would dissolve all police departments located within the metropolitan area police district; it would create a metropolitan area district police department; it would transfer title to all physical equipment and facilities of the disbanded police agencies to the metropolitan department; it would transfer the personnel of the dissolved

⁴⁸ SHELDON GLUECK, *CRIME AND JUSTICE*, Cambridge, Massachusetts: Harvard University Press, 1945, Pp. 248-253, Professor Glueck has recommended the "systematic interrelation of all services connected with the control of crime" through the creation of a State Department of Justice headed by a chief executive and permanently staffed by a group of competent civil servants. Within the Department of Justice there would be a bureau of police administration, a bureau of public prosecution, a bureau of court administration, a bureau of correctional facilities, a bureau to study existing legislation and judicial decisions and a bureau of personnel.

⁴⁹ REPORT OF THE AMERICAN BAR ASSOCIATION COMMISSION ON ORGANIZED CRIME, ANNUAL REPORT OF THE AMERICAN BAR ASSOCIATION, Chicago, Illinois, 1951, Vol. 76, Pp. 385-422; See also ANNUAL REPORT OF THE AMERICAN BAR ASSOCIATION, Chicago, Illinois, 1952, Vol. 77, Pp. 334-336, for discussion of a Model *Department of Justice Act*.

departments to the metropolitan department and it would establish a metropolitan area board of police commissioners as the governing body.

The number of individuals to be appointed to the Board of Police Commissioners and the method of selection are largely discretionary matters. It is suggested, however, that a board of seven members would provide a workable governing body for a large metropolitan area police department. As an underlying principle, this governing body should serve as the medium through which the local communities can keep in close touch with the police department and exercise a proper measure of popular control.

For the purpose of selecting the Board of Police Commissioners, the Metropolitan Area Police District could consist of divisions equal in number to the members of the board. Under this plan there would be seven divisions in the police district to be governed by a seven-man board. The Divisions would be based in part on population and in part on geographical considerations. The heaviest concentration of population as well as policing problems will lie in the principal city of the Metropolitan Area police district. Hence, very substantial representation on the board should come from this city without vesting it with complete control. In considering a Chicago Metropolitan Area Police District, perhaps three of the seven divisions should be located in Chicago. The Mayor of Chicago would appoint one commissioner from each division. The remaining four divisions lying beyond the city of Chicago but within the Metropolitan area police district would each furnish a commissioner. A plan could be devised which would make it possible for the chief executives, such as mayors or village presidents, of all municipalities within a division to collectively appoint a commissioner from that division. The seven members of the board of police commissioners could select one of its number to serve as a chairman. The terms of office of the various commissioners should be staggered in order to assure stability and continuity of administrative policies.

The efficient administration of a metropolitan area police department will depend largely upon the capabilities and integrity of the man selected to head the force. The qualifications for the position of chief should be very high and rigidly adhered to. He should be appointed for good behavior and subject to removal only for cause after a full hearing of any charges that may be brought against him. An order of removal should require the concurrence of at least four of the seven members of the board. And the appointment of the chief as well as any order of removal must have the approval of the Police Council of the State. In fact, the Council should have the power to order the removal of any chief who through gross incompetence or corruption fails to meet minimum Council standards in the administration of the force.

The very heart of a police organization is its personnel. And the success of a metropolitan police department will depend on the soundness of its personnel policies and personnel management. Many problems will be presented when a metropolitan area police department absorbs the personnel of all existing departments within the district, a procedure that practical considerations will virtually dictate. Some officers will undoubtedly be considered incompetent. A few officers who may have been discharged for cause from one department may have become affiliated with another and are considered in good standing at the time of the consolidation. As a result

they will probably become members of the metropolitan area police department. These problems will gradually disappear providing there is established a highly competent personnel management program. Successful business concerns with only a few hundred employees have seen the wisdom of retaining specialists in the field of personnel to direct their personnel programs. A director of personnel in a metropolitan area police department with employees totaling several thousand would be an absolute necessity. Only men of unusually high qualifications should be eligible for this position. They should be thoroughly grounded in the techniques of public administration with substantial experience in the police field. The personnel director should be appointed by the Board of Police Commissioners subject to the approval of the Police Council.

Remedial legislation is imperative to make sound personnel management possible. This means a departure from present concepts of civil service mechanisms and processes that "are largely concerned with a personnel of mediocrity."⁵⁰ Positive programs of recruitment and discipline that are adapted to police needs are essential. Requirements for appointment to the police force should be sufficiently high to assure outstanding personnel. Qualifications should include a minimum of high school graduation with perhaps at least two years of college, a superior intelligence coupled with an aptitude for police work, physical fitness and above all an impeccable character. Appropriate tests can easily determine intelligence and aptitude qualities. No man should be appointed to the police force until a thorough character investigation has established his high integrity and an absence of associations which might hamper him in the proper performance of his duties. A leading police authority has stated that when police departments "conduct searching investigations into the personal histories of applicants for appointment, they raise the prestige and dignity of police service everywhere; when pre-service and in-service training programs are established, police acquire a consciousness of the dignity of professional status that is out of all proportion to the pedagogical standards or intrinsic values of such training; and when police administrators are able to apply a rigorous discipline to the rank and file, and to dismiss those who for any reason are unsuited to police work, they afford convincing demonstration that the protective forces of the community can police their own ranks."⁵¹

Police personnel should be secure in their positions only when they take their oaths of office seriously and perform their duties competently and honestly. A police department is necessarily, a quasi-military body. Disciplinary action taken by the chief under the guidance of an expert personnel director should not be referred to a Civil Service Commission that usually has no genuine understanding of police administration. A personnel director can establish proper hearing techniques within the department that will assure all accused officers of a fair trial. If the decision is adverse to the accused officer he should be permitted to appeal his case to the Board of Police Commissioners. If the board upholds the decision an appeal to the Police Council should be allowed. The decision of the Police Council should then be final.

A metropolitan area police department would necessarily establish a central com-

⁵⁰ BRUCE SMITH, *op. cit.*, P. 335.

⁵¹ *Ibid.*, P. 332.

munications system to service the entire area. Criminal investigations would thus receive unified direction and the efforts of necessary police personnel would be coordinated. A similar result would stem from a central bureau of records and identification, and searches for data would be limited to one place. One adequately equipped and expertly staffed crime laboratory would handle scientific examinations and analyses of all criminal cases in the area. A uniform traffic control program embracing the metropolitan district should result in greater efficiency, eliminate confusion, and afford greater protection to the lives and property of those using the highways. A metropolitan area police department should also establish a central intelligence unit that will develop confidential information regarding the activities of the principal criminal and racketeering elements of the community. Through appropriate investigations the intelligence unit will often learn of anticipated plans of the more important criminals in the area and prevent them from becoming strongly organized. The data developed by the intelligence unit will be coordinated, indexed, and readily accessible whenever needed. The work of this unit should be conducted secretly and the information it obtains channelled to the Chief for appropriate action. Genuine intelligence work is essential to the proper functioning of any large police department. Yet this phase of police activity has been sadly neglected in most police departments throughout the country.

In the light of historical experience, any plan that may be proposed for the creation of a metropolitan area police department will probably meet with bitter public opposition. However, the present pattern of overlapping and duplicating police agencies is very costly and highly inefficient. Eventually, necessity may impose radical changes in this pattern.